REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Office Action and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Status of Claims

Claims 1 – 51 are pending in the application.

Claims 30-41 are allowed.

Claims 1-3, 5, 9-12, 14, 17-20, 22, 27-29, 42, 43, 46 and 47 have been rejected.

Claims 4, 6-8, 13, 15, 16, 21, 23-26, 44, 45 and 48-51 have been objected to.

Claims 4, 6-8, 10-12, 16, 17, 21, 23-25, 27, 28 and 42 have been amended. Applicants respectfully assert that no new matter has been added by these amendments.

Claims 1, 2, 3, 5, 9, 22, 26 have been canceled without prejudice or disclaimer.

Allowed Claims

Applicants would also like to gratefully acknowledge the Examiner's indication that claims 30-41 are allowed. Applicants would also like to gratefully acknowledge the Examiner's indication that claims 4, 6-8, 13, 15, 16, 23-26, 44, 45 and 48-51 would be allowable if the objection as being dependent upon a rejected base claim were overcome. Claim 4 has been amended to incorporate the limitations of its independent claim. Therefore claim 4 is now in condition for allowance. Claims 6-8, 10-12, have been amended to be dependent from claim 4. Since claims 13 and 15 depend from claim 12 which has been amended to depend from claim 4, Applicants believe that the amendments to the claims will overcome the objections under 35 U.S.C §102(e).

Furthermore, claim 23 has been amended to incorporate the limitations of its independent claim. Therefore claim 23 is now in condition for allowance. Claims 24-25 have been amended to be dependent from claim 23. Since claims 24-25 depend from claim

23, Applicants believe that the amendments to the claims will overcome the objections under 35 U.S.C § 102(e).

With regard to independent claim 42, rather than incorporate the limitations of one of the allowable dependent claims, Applicants have amended claim 42 to overcome the rejections under 35 U.S.C § 103(a). Therefore, Applicants believe that amended claim 42 is allowable over the art of record. Since claims 43-51 depend from claim 42, Applicants believe that the amendment to claim 42 also overcome the rejections to claims 43, 46 and 47 and the objections to claims 44, 45 and 48-51. Applicants believe that after amendments have done all claims are now believed to be allowable over the art of record.

Double Patenting

Applicants have canceled claim 26 to overcome the double patenting objections.

35 U.S.C. 102(e) Rejections

The Office Action also rejects claims 1, 9-12, 14, 17-20, 22 and 27 under 35 U.S.C. §102(e) as being anticipated by Lundby (US 6,282,250 B1). Applicants have cancelled claims 1, 9 and 22 without prejudice, thus rendering the rejection of these claims moot.

Claim 9 has been canceled and claims 10-12, and 17 are now dependent from claim 4. Since claims 14 is dependent from claim 12, and claim 18 is dependent from claim 17 and claims 19-20 are dependent from claim 18, Applicants believe the rejection of these claims has been overcome for at least the same reason, and Applicants respectfully request that the rejection be withdrawn.

The office Action also reject claims 22 and 27 under 35 U.S.C. §102(e) as being anticipated by Lundby. Applicants canceled claim 22 and claim 27 is now dependent from claim 23. Since claim 23 was not rejected as being anticipated by Lundby and claim 27 is depended from claim 23, Applicants respectfully request that the rejection be withdrawn.

The Office Action also rejects claims 1-3, and 5 under 35 U.S.C. §102(e) as being anticipated by Wolf. Applicants have canceled claims 1-3, and 5 without prejudice, thus rendering the rejection of these claims moot.

The Office Action rejects claims 28 and 29 under 35 U.S.C. §102(e) as being anticipated by Wolf.

According to the Office Action, referring to claim 28 Wolf teaches a controller, represented by the second interleaver (figure 5, reference character 110), which determines how many of the received symbols are used to decode the frame (column 7, lines 30-49). Claim 28 has been amended in view of the art. Applicants respectfully submit that Wolf does not meet the requirements of making a prima facie case in that neither teaches nor suggests "control circuitry to determine based on the quality indicator how many of the received symbols of the frame are used in decoding the frame".

Since claim 29 is depended from claim 28, Applicants believe that the rejection of these claims has been overcome for at least the same reason, and Applicants respectfully request that the rejection be withdrawn.

35 U.S.C. § 103 Rejections

The Office Action rejected claims 42, 43, 46 and 47 under 35 U.S.C. 103(a) as being unpatentable over Lundby in view of Watanabe et al.

Applicants respectfully overcome this rejection in view of claim 42 and remarks that follow.
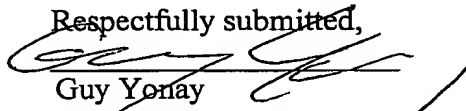
As is well established, an obviousness rejection requires a teaching or a suggestion by the relied upon prior art of all the elements of a claim (MPEP 2142). Without conceding the appropriateness of the combination, Applicants respectfully submit that the combination of Lundby and Watanabe et al. does not meet the requirements of an obvious rejection in that neither teaches nor suggests "moving said communication terminal to the sleep condition if the decoded values of the bits of the frame including the altered values do not include errors" as recited in claim 42. Therefore, Applicants respectfully assert that neither Lundby nor Watanabe et al, alone or in combination, teach or suggest the limitations of claims 42. Since claims 43, 46 and 47 are dependent from claim 42, Applicants believe that the rejection of

these claims has been overcome, and Applicants respectfully request that the rejection be withdrawn.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 05-0649.

Respectfully submitted,

Guy Yonay
Attorney for Applicant(s)
Registration No. 52,388

Dated: October 30, 2002

Eitan, Pearl, Latzer & Cohen-Zedek
One Crystal Park, Suite 210, 2011 Crystal Drive
Arlington, VA, USA 22202-3709
Telephone: (703) 486-0600
Fax: (703) 486-0800

VERSION WITH MARKINGS TO SHOW CHANGES MADE

4. (Once Amended) A method [according to claim 2,] comprising:

    decoding a frame based on fewer received symbols than the number of symbols in the frame and assumed values of symbols not received, wherein the assumed values comprise values of a message which is expected with a substantial probability.

6. (Once Amended) A method according to claim [5] 4, wherein receiving fewer than all the symbols comprises receiving symbols of a message which is either a message indicating that [the] a communication terminal should move to a sleep condition or a message which [indicates] indicating that the communication terminal should remain in a wake condition, and wherein the assumed values comprise values of the message indicating that the communication terminal should move to the sleep condition.

7. (Once Amended) A method according to claim [1] 4, wherein receiving fewer than all the symbols comprises receiving symbols over a paging channel.

8. (Once Amended) A method according to claim [1] 4, wherein receiving fewer than all the symbols comprises receiving symbols of a message which, in a substantial probability, indicates that the communication terminal should move to a sleep condition.

10. (Once Amended) A method according to claim [1] 4, wherein the decoding is completed before receiving all the symbols in the frame.

11. (Once Amended) A method according to claim [1] 4, wherein the decoding is performed using a predetermined number of received symbols.

12. (Once Amended) A method according to claim [1] 4, wherein the decoding is performed using an adaptively adjusted number of received symbols.

16. (Once Amended) A method according to claim [1] 6, wherein the decoding comprises decoding using the lowest number of received symbols which ensures a predetermined rate of success in decoding the message.

17. (Once Amended) A method according to claim [1] 6, comprising receiving symbols of the frame while decoding the message.

21. (Once Amended) A method according to claim [1] 4, wherein receiving the symbols comprises receiving during an idle mode of the communication terminal.

23. (Once Amended) A method [according to claim 22,] comprising:

receiving at a communication terminal symbols of a frame of an encoded message over a transmission channel;

[wherein] determining [the] a number of received symbols [comprises determining the number of received symbols] responsive to the channel on which the symbols are received, wherein the determined number is less than the number of symbols in the frame for at least some of the received messages; and

decoding the frame using the determined number of received symbols.

24. (Once Amended) A method according to claim [22] 23, wherein determining the number of received symbols comprises determining the number of received symbols responsive to whether the communication terminal is in idle mode.

25. (Once Amended) A method according to claim [22] 23, wherein determining the number of received symbols comprises determining the number of received symbols responsive to success rates in decoding previously received frames.

27. (Once Amended) A method according to claim [22] 23, wherein determining the number of received symbols comprises determining fewer symbols than a total number of symbols in the frame.

28. (Once Amended) A receiver[,] comprising:

10

a demodulator to provide a quality indicator based on[an input interface which receives to] received symbols of a frame of a transmitted encoded message;

a decoder [which decodes] to decode the frame based on at least some of the received symbols; and

[a controller] control circuitry to [which] determine[s] based on the quality indicator how many of the received symbols of the frame are used in decoding the frame, the determined number being fewer than the number of symbols in the frame for at least some of the decoded frames.

42.   (Once Amended) A method of providing a decoded value of a received message indicating that a communication terminal should move to a sleep condition, the method comprising:

receiving encoded symbols of a frame of a transmitted encoded message;

decoding the frame based on at least some of the received encoded symbols, so as to provide decoded bits;

altering the values of at least one of the decoded bits of the frame; and

moving said communication terminal to the sleep condition if the decoded values of the bits of the frame including the altered values do not include errors.

11